

### **REMARKS**

The present paper is in response to the non-Final Office Action dated November 29, 2006. Claims 41-54 are pending in this application. By the present amendments, applicants amend claims 41, 45, 46, and 48. The Applicants respectfully submit that the pending claims 41-54 are in condition for allowance in view of the amendments and the following supporting remarks.

#### **A. Claim Objections**

Applicants have amended claims 41, 45, 46 and 48 to correct the typographical errors pointed out by the Examiner.

#### **B. Claim Rejections under 35 U.S.C. § 103(a)**

##### **(1) Schmidt (U.S. Patent No. 6,208,872) and in view of Irvin (U.S. Patent No. 6,556,819)**

The Examiner rejects claims 41-54 as being unpatentable over Schmidt (United States Patent No. 6,208,872) in view of Irvin (United States Patent No. 6,556,819). In light of the arguments contained herein, the Applicants respectfully request that this rejection be withdrawn.

In contrast with claim 41, Schmidt fails to teach or suggest "utilizing the controller to determine if at least a portion of the received phone number matches at least one approved geographic characteristic stored in the memory" and/or "permitting one of a placement of a phone call to the received phone number and a receipt of the phone call from the received phone number **only...if the at least the portion of the received**

**phone number matches the at least one approved geographic characteristic**" (See Applicants' Claims). As used herein by the claim, the "received number" can refer to both an "outgoing number" that the wireless communication device is dialing out to and an "incoming number" from which the wireless communication device receives a communication.

The sections cited by the Examiner in Schmidt (See non-Final Office Action of November 29, 2006) teaches a method whereby whenever a wireless communication device (i.e., mobile station) places an **OUTGOING CALL** or receives an **INCOMING CALL**, a determinator component first checks to see if the mobile station is roaming by checking to see "if the system ID number of the cellular network in which the mobile station is currently located (the "current system ID number"), matches the system ID number of the mobile station's home system (the "home system ID number"), which is conventionally stored in the mobile station" and then if the wireless communication device is determined to be roaming, allowing the **OUTGOING CALL** to be **PLACED** or **INCOMING CALL** to be **RECEIVED ONLY IF** the "ROEF-2 is in a state "1" permitting calls" to be **PLACED OR RECEIVED WHILE ROAMING** (See Schmidt, Column 6, lines 15-16, 27-38; Column 7, line 58 – Column 8, lines 44-59).

In more general terms, all that Schmidt teaches is checking to ensure that placing and receiving calls is allowed during roaming, before a call is placed by or received by a wireless communication device that is roaming. That is, none of the cited sections in Schmidt teaches or suggests an **EXAMINATION** of the **OUTGOING NUMBER** or **INCOMING NUMBER** to see if the numbers **MATCH** an **APPROVED GEOGRAPHIC CHARACTERISTIC** (i.e., area codes) (See Applicants' Specifications,

page 6 paragraph 3). In fact, Schmidt is not concerned with the geographic location of the device at all. The fact that a device is roaming does not necessarily disclose anything about the device's geographic location. It simply reveals that the device is not in communication with its home network. But a device can move between its home network and another network over a short distance, e.g., within the same city and area code. Further, Schmidt is completely silent as to checking the incoming, or outgoing number to determine if it is associated with an approved geographic location.

Irvin fails to cure the deficiencies of Schmidt. Irvin does disclose determining the geographic location of the wireless communication device. But as is the case with Schmidt, Irvin is completely silent with respect to checking the incoming, or outgoing number to determine if it is associated with an approved geographic location, in the manner recited by Applicants' claims.

For at least the above reasons, the Applicants respectfully request that this rejection be withdrawn for claim 41. Dependent claims 42 – 45 are in condition for allowance for at least the same reasons discussed with respect to claim 41 and such is respectfully requested.

In contrast with claims 46 and 49, Schmidt fails to teach or suggest a processor allowing or permitting "one of a placement of an outgoing call to the outgoing number and receipt of the incoming call only if the at least one authorized location matches the current physical location and only if the at least one authorized area code matches one of the incoming area code and the outgoing area code" (See Applicants' Claims). As used herein the claim, the "incoming area code" refers to the area code of the incoming number and the "outgoing area code" refers to the area code of the outgoing number.

For the same reasons as those discussed above, Schmidt fails to teach or suggest a processor allowing the placement of an outgoing call and receipt of an incoming call **ONLY IF** an authorized area code “stored in memory” matches the outgoing (i.e., outgoing call) or incoming (i.e., incoming call) area code. Irvin fails to cure the deficiencies of Schmidt for the same reasons as those discussed above. Mainly, both Schmidt and Irvin are **NOT** concerned with the area code or other geographic characteristics of the outgoing or incoming call number.

For at least the above reasons, the Applicants respectfully requests that this rejection be withdrawn for claims 46 and 49. Dependent claims 47, 48 and 50-54 are in condition for allowance for at least the same reasons discussed with respect to claim 46 and 49 and such is respectfully requested.

**(2) Schmidt (U.S. Patent No. 6,208,872) and in view of Agness et al. (U.S. Patent No. 6,799,052)**

The Examiner rejects claims 41, 46, and 49 as being unpatentable over Schmidt in view of Agness et al. (United States Patent No. 6,799,052). In light of the arguments contained herein, the Applicants respectfully request that this rejection be withdrawn.

In contrast with claim 41, Schmidt fails to teach or suggest “utilizing the controller to determine if at least a portion of the received phone number matches at least one approved geographic characteristic stored in the memory” and/or “permitting one of a placement of a phone call to the received phone number and a receipt of the phone call from the received phone number **only...if the at least the portion of the received phone number matches** the at least **one approved geographic characteristic**” for at least the same reasons as those discussed above. Agness et al. fails to cure the

deficiencies of Schmidt as Agness et al. is completely silent as to an **EXAMINATION** of the **OUTGOING NUMBER** or **INCOMING NUMBER** to see if the numbers **MATCH** an **APPROVED GEOGRAPHIC CHARACTERISTIC**. Agness et al. is only concerned with the geographic characteristics (i.e., predetermined inhibit locations) of the wireless communications device itself and **NOT** the geographic characteristics (i.e., area codes) of the outgoing or incoming numbers (See Agness et al., Column 4, lines 43-47).

For at least the above reasons, the Applicants respectfully request that this rejection be withdrawn for claim 41.

In contrast with claims 46 and 49, Schmidt fails to teach or suggest a processor allowing or permitting "one of a placement of an outgoing call to the outgoing number and receipt of the incoming call only if the at least one authorized location matches the current physical location and only if the at least one authorized area code matches one of the incoming area code and the outgoing area code" for at least the same reasons as those discussed above. Agness et al. fails to cure the deficiencies of Schmidt for the same reasons as those discussed above.

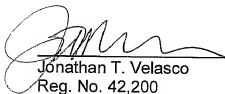
For at least the above reasons, the Applicants respectfully requests that this rejection be withdrawn for claims 46 and 49.

**C. Conclusion**

For all the foregoing reasons, allowance of claims 41-54 pending in the present application is respectfully requested. If necessary, applicant requests, under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully Submitted,

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